

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	)	
	)	Criminal No. 04-10051-PBS
	)	
	)	
V.	)	VIOLATIONS:
	)	21 U.S.C. § 846--
JORGE ROSARIO, a/k/a "KING INFAMOUS"	)	Conspiracy to Distribute Cocaine Base
	)	
	)	21 U.S.C. § 841(a)(1)--
	)	Distribution of
	)	Cocaine Base
	)	
	)	21 U.S.C. § 853--
	)	Criminal Forfeiture
	)	Allegation

SUPERSEDING INDICTMENT

COUNT ONE: (21 U.S.C. § 846 -- Conspiracy To Distribute  
Cocaine Base)

The Grand Jury charges that:

From a time unknown to the Grand Jury, but at least by in or about April, 2003, and continuing thereafter until on or about January 28, 2004, at Lawrence, Andover, and elsewhere in the District of Massachusetts,

**JORGE ROSARIO, a/k/a "KING INFAMOUS,"**

the defendant herein, did knowingly and intentionally conspire and agree with persons unknown to the Grand Jury to possess with intent to distribute, and to distribute, a quantity of cocaine base, also known as "crack cocaine," a Schedule II controlled substance, in violation of Title 21, United States Code, Section

841(a)(1).

The Grand Jury further alleges that the conspiracy described herein involved at least 5 grams of a mixture or substance containing a detectable amount of cocaine base, also known as "crack cocaine," a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(B)(iii).

All in violation of Title 21, United States Code, Section 846.

COUNT TWO: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base; 18 U.S.C. §2 -- Aiding and Abetting)

The Grand Jury further charges that:

On or about April 14, 2003, at Lawrence and Andover, and elsewhere in the District of Massachusetts,

**JORGE ROSARIO, a/k/a "KING INFAMOUS,"**

the defendant herein, did knowingly and intentionally distribute a quantity of cocaine base, also known as "crack cocaine," a Schedule II controlled substance.

The Grand Jury further alleges that the offense described herein involved at least 5 grams of a mixture or substance containing a detectable amount of cocaine base, also known as "crack cocaine," a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(B)(iii).

All in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

COUNT THREE: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base; 18 U.S.C. §2 -- Aiding and Abetting)

The Grand Jury further charges that:

On or about January 28, 2004, at Lawrence and elsewhere in the District of Massachusetts,

**JORGE ROSARIO, a/k/a "KING INFAMOUS,"**

the defendant herein, did knowingly and intentionally distribute a quantity of cocaine base, also known as "crack cocaine," a Schedule II controlled substance.

The Grand Jury further alleges that the offense described herein involved at least 5 grams of a mixture or substance containing a detectable amount of cocaine base, also known as "crack cocaine," a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(B)(iii).

All in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

**NOTICE OF ADDITIONAL FACTORS**

The Grand Jury further finds that:

1. The defendant, JORGE ROSARIO, is accountable for at least 5 grams, but less than 20 grams, of cocaine base, a/k/a "crack cocaine." Accordingly, USSG §2D1.1(c)(7) applies to this defendant.

**FORFEITURE ALLEGATION**  
**(21 U.S.C. § 853)**

The Grand Jury further charges that:

1. As a result of the offenses alleged in Counts 1 through 3 of this Indictment,

**JORGE ROSARIO, a/k/a "KING INFAMOUS,"**

defendant herein, shall forfeit to the United States any and all property constituting, or derived from, any proceeds the defendant obtained, directly or indirectly, as a result of such offenses; and/or any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, any such violations.

2. If any of the property described in paragraph 1, above, as a result of any act or omission of the defendant--

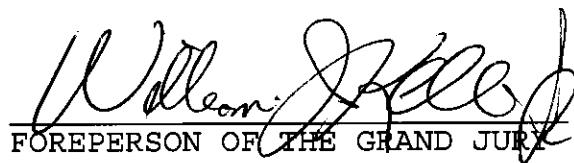
- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

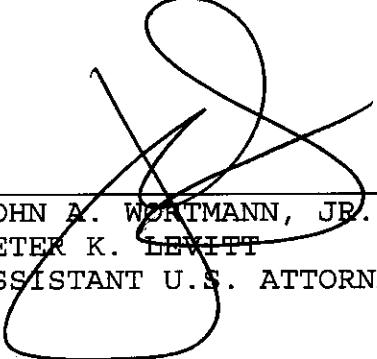
it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any

other property of the defendants up to the value of the property described in paragraph 1.

All in violation of Title 21, United States Code, Section 853.

A TRUE BILL,

  
\_\_\_\_\_  
FOREPERSON OF THE GRAND JURY

  
\_\_\_\_\_  
JOHN A. WORTMANN, JR.  
PETER K. LEVITT  
ASSISTANT U.S. ATTORNEYS

DISTRICT OF MASSACHUSETTS

October 14, 2004

Returned into the District Court by the Grand Jurors and filed.

  
\_\_\_\_\_  
Deputy Clerk

JS 45 (5/97) - (Revised U.S.D.C. MA 2/7/02)

**Criminal Case Cover Sheet****U.S. District Court - District of Massachusetts**

Place of Offense: Lawrence Category No. II Investigating Agency FBI

City Lawrence

**Related Case Information:**

County Essex Superseding Ind./ Inf. X Case No. CR 04-10051 PBS

Same Defendant x New Defendant \_\_\_\_\_

Magistrate Judge Case Number \_\_\_\_\_

Search Warrant Case Number \_\_\_\_\_

R 20/R 40 from District of \_\_\_\_\_

**Defendant Information:**Defendant Name JORGE ROSARIO Juvenile:  Yes  No

Alias Name KING INFAMOUS

Address 16 SPRINGFIELD ST. 2<sup>ND</sup> FL., LAWRENCE, MA

Birthdate: 1982 SS # 000 00 5018 Sex: MALE Race: Hispanic Nationalit US

Defense Counsel if known: \_\_\_\_\_ Address \_\_\_\_\_

Bar Number \_\_\_\_\_

**U.S. Attorney Information:**

AUSA Peter K. Levitt ; John A. Wortmann, Jr. Bar Number if applicable 565761 AND 534860

Interpreter:  Yes  No List language and/or dialect: \_\_\_\_\_Matter to be SEALED:  Yes  NoWarrant Requested  Regular Process  In Custody**Location Status:**

Arrest Date \_\_\_\_\_

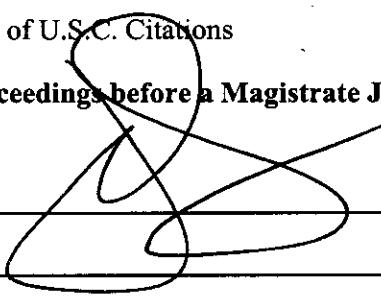
X Already in Federal Custody as of February 21, 2004 in Plymouth HOC

 Already in State Custody at \_\_\_\_\_  Serving Sentence  Awaiting Trial On Pretrial Release: Ordered by: \_\_\_\_\_ on \_\_\_\_\_Charging Document:  Complaint  Information  IndictmentTotal # of Counts:  Petty  Misdemeanor  Felony 3

Continue on Page 2 for Entry of U.S.C. Citations

X I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: 10/14/04

Signature of AUSA: 

District Court Case Number (To be filled in by deputy clerk): \_\_\_\_\_

Name of Defendant JORGE ROSARIO AKA KING INFAMOUS

**U.S.C. Citations**

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>21 USC 846</u>	<u>CONSPIRACY DISTRIBUTE COCAINE BASE</u>	<u>1</u>
Set 2	<u>21 USC 841(a)</u>	<u>DISTRIBUTION OF COCAINE BASE</u>	<u>2, 3</u>
Set 3	<u>18 USC 2</u>	<u>AIDING &amp; ABETTING</u>	<u>2, 3</u>
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

**ADDITIONAL INFORMATION:** \_\_\_\_\_